

**DECLARATION  
FOR  
PATENT APPLICATION**

As a below named inventor, I hereby declare that: My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **BREATH END-TIDAL GAS MONITOR**, identified by Attorney Docket No. **KEDI 8651 W1** the specification of which was filed on **19 June 2003** as PCT International Application Number **PCT/US2003/019310**, and which has been assigned **U.S. Application No. 10/561,561**.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

**PCT/US2003/019310**  
(Number)

**PCT**  
(Country)

**19 June 2003**  
(Day/Month/Year)

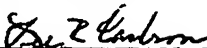
Priority Claimed  
☒ **YES**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of First Inventor:

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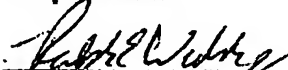
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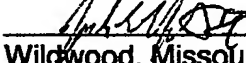
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**PATENT  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: **Carlson et al.**

GROUP ART UNIT:

SERIAL NO.:

EXAMINER:

FILED:

DOCKET NO.: **KEDI 8651 W1****FOR: BREATH END-TIDAL GAS MONITOR**

**POWER OF ATTORNEY BY ASSIGNEE**

Under the provisions of 37 CFR §§ 3.71 and 3.73(b), the undersigned assignee of record of the entire right, title and interest in the above identified patent/patent application by virtue of an assignment recorded concurrently herewith elects to conduct the prosecution of the application/maintenance of the patent/patent application to the exclusion of named inventor(s) or previous assignee(s). The undersigned hereby declares that he/she is an officer of Assignee and has reviewed the above-referenced assignment and hereby declares that, to the best of his/her knowledge, title is in the Assignee, **Everest Biomedical Instruments Co.**, and further declares that all statements made herein of his/her knowledge are true and that all statements made on information and belief are believed to be true.

The Assignee hereby revokes any previous powers of attorney and appoints the following to prosecute this application, maintain this patent and transact all business in the Patent and Trademark Office connected herewith: all registered attorneys associated with **Customer Number 001688**.

Address all correspondence to:

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**ASSIGNEE:****Everest Biomedical Instruments Co.**DATE: 12/15/05BY: NAME: Christian ChristensenTITLE: COO